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3 UNITED STATES DISTRICT COURT

4 DISTRICT OF NEVADA

5 \* \* \*

6 STEVEN BRADLEY HODGES,

Case No. 3:23-cv-00309-MMD-CLB

7 v.

Plaintiff,

ORDER

8 MARANGI, *et al.*,

9 Defendants.

10  
11 On September 26, 2023, Interested Party Nevada Department of Corrections filed  
12 a suggestion of death on the record in two of Plaintiff Steven Bradley Hodges's other  
13 prisoner civil rights cases, informing the Court that Plaintiff passed away on September  
14 21, 2023. *See Hodes v. Dyer et al.*, Case No. 3:23-cv-00050-MMD-CSD, ECF No. 9 (D.  
15 Nev. Filed September 26, 2023); *Hodes v. Hartman et al.*, Case No. 3:23-cv-00113-  
16 MMD-CLB, ECF No. 20 (D. Nev. Filed September 26, 2023).

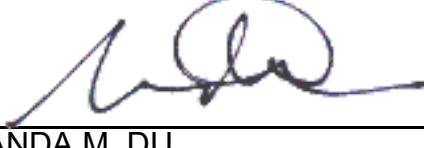
17 Under Federal Rule of Civil Procedure 25(a)(1), “[i]f a party dies and the claim is  
18 not extinguished, the court may order substitution of the proper party. A motion for  
19 substitution may be made by any party or by the decedent’s successor or representative.  
20 If the motion is not made within 90 days after service of a statement noting the death, the  
21 action by or against the decedent must be dismissed.” Fed. R. Civ. P. 25(a)(1). As such,  
22 if there is no motion for substitution within 90 days of the date of this order, the Court will  
23 dismiss the case.

24 It is therefore ordered that the Court will dismiss this case in 90 days if there is no  
25 motion to substitute filed under Federal Rule of Civil Procedure 25(a)(1).

26 It is further ordered that Plaintiff’s application to proceed *in forma pauperis* (ECF  
27 No. 1) is denied as moot.

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1 DATED THIS 27<sup>th</sup> Day of September 2023.  
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MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE